IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4415 OF 2003
IN
FIRST APPEAL NO. 978 OF 1999
IN
L.A.R. NO. 197 OF 1992

Dhondu Sakharam Mali deceased thorough his legal heirs.] .. Applicants](Ori.Appellants)

Versus

The State of Maharashtra] .. Respondents (Ori.Opponent)

Mr. A.H. Ahuja for the applicants.

Mrs. G.P. Mulekar, AGP, for respondent.

CORAM: R.M. LODHA &
S.J. VAZIFDAR, JJ.

DATED: 17TH JULY, 2006

P.C. :

. The Advocate for the applicants undertakes to make up the deficit Court fee of Rs.11,250/- if the Appeal is restored.

2. We are informed that from the impugned judgment and award, 41 First Appeals have been preferred. All these Appeals have been admitted by this Court.

3. In the peculiar circumstances as noticed

above, we are inclined to condone the delay in filing the Civil Application and recall the order dated 6th June, 2001, subject to the applicants paying Court fee in the sum of Rs.11,250/- within two weeks from today.

4. We clarify that in the event of default in making up deficiency in the Court fee within aforestated time, the Appeal shall stand dismissed.

5. Civil Application stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.J. VAZIFDAR, J.]